



Order Filed on August 16, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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MidFirst Bank

In Re:
Derick O. Siebs,

Debtor.

Case No.: 18-14810 RG

Adv. No.:

Hearing Date: 6/20/18

Judge: Rosemary Gambardella

ORDER RESOLVING OBJECTION TO CONFIRMATION

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED.**

DATED: August 16, 2018


Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Derick O. Siebs

Case No: 18-14810 RG

Caption of Order: ORDER RESOLVING OBJECTION TO CONFIRMATION

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, holder of a mortgage on real property known as 90 PINE GROVE TER NEWARK, NJ 07106-1909, Denise Carlon, Esq. appearing, upon an objection to confirmation of Debtor's Chapter 13 plan, and this Court having considered the representations of attorneys for Secured Creditor and Bruce W. Radowitz, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 3, 2018, Secured Creditor has advanced \$1,269.00 for post-petition escrow advances; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the post-petition escrow advances in the amount of \$1,698.89 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that for the duration of Debtor's Chapter 13 bankruptcy proceeding, Debtor shall pay all post-petition escrow items directly, including but not limited to property taxes and insurance, and if Debtors do not maintain these payments, Secured Creditor can advance for these items and/or seek relief from this Court by filing a certification of default; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's claim will be paid off in full through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the total amount to be paid to Secured Creditor through Debtor's Chapter 13 plan is broken down as follows:

- \$67,678.40 due at the time of filing;
- \$14,173.05 interest rate over 60 months (7.75%)
- \$1,698.89 for post petition escrow
- **TOTAL: \$83,550.34**

It is **FURTHER ORDERED, ADJUDGED and DECREED** that upon successful completion of said payments, repayment of all post-petition escrow advances, and receipt of a discharge in this Chapter 13 proceeding, this lien shall be released and extinguished; and

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It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Secured Creditor, shall file a release of the lien with the recorder of deeds in Essex County for the underlying mortgage within 30 days of the completion of the plan payments, repayment of outstanding escrow advances, and receipt of discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event Secured Creditor fails to discharge the mortgage within the prescribed period, the Debtor and/or Debtor's counsel may record with the recorder of deeds a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of mortgage.

It is further **ORDERED, ADJUDGED** and **DECREED** that Secured Creditor's objection to confirmation is hereby resolved.